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ON PAGE 1A

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FILE ONLY

Surveillance stirs dispute in Britain

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LONDON — A banned documentary film on the operation of the British domestic security service MI5 has set off a controversy here over telephone taps and government surveillance, prompting a civil liberties group to challenge the government actions in British and European courts.

The decision yesterday by the National Council for Civil Liberties (NCCL) to take its case to court is the latest development in a controversy that has blossomed since late last week over allegations that the British government kept certain trade unionists and political activists under illegal surveillance over a period of several years.

The allegations were made in a documentary film produced by independent Channel 4 television about the operation of MI5.

The documentary has not yet been broadcast. The Independent Broad-

casting Authority, a government agency, banned the film last week, saying that it raised "serious allegations" about surveillance that should first be considered by the "proper authorities."

The incident has prompted debate in Parliament and extensive news coverage. The documentary has been viewed by a group of Labor Party members of Parliament and by several of the people who allegedly were targets of the surveillance.

They include Larry Gostin, general secretary of the NCCL, a 50-year-old organization that is the British equivalent of the American Civil Liberties Union. Also named in the film were leaders of the Campaign for Nuclear Disarmament; labor leaders such as Arthur Scargill, president of the striking National Union of Mineworkers, and Harriet Harman, a Labor member of Parliament.

The allegations were made primarily by a former MI5 intelligence officer who said she was assigned to lead the team watching the Campaign for Nuclear Disarmament and pass along information to the Defense Ministry.

Jill Reeve, a spokeswoman for the anti-nuclear group, said yesterday that members of the organization had long suspected that they were being watched by the government.

"But this is the first time someone within the MI5 has said it," Reeve said. "We haven't had this kind of evidence before."

Officially, Home Secretary Leon Brittan, who is responsible for the MI5's operations, followed the government's longstanding practice and declined to confirm or deny allegations of telephone tapping.

Brittan also issued a statement saying that the MI5's activities are only directed against those engaged in "subversion" — meaning, he said, activities that are both a threat to the

state and an attempt to "undermine or overthrow parliamentary democracy."

Not so, Gostin said. "The amazing thing about the allegations, and I'm sure they are accurate, is that the NCCL was on the list of subversive organizations," he said yesterday.

"We're no different from a civil liberties or human rights group in any other country," he said. "We're a thorn in the side of the establishment. It's monstrous that we should be classified as some kind of spies."

Gostin announced yesterday that the NCCL would ask the British High Court, essentially the nation's highest court, to rule that the surveillance was illegal and that the Independent Broadcasting Authority's ban on the documentary should be lifted.

The group also plans to go to the European Commission on Human Rights in Strasbourg, France, alleging that MI5's activities violated two articles of the human rights convention: the right to privacy and the right to free expression without interference from a public authority. Britain is a party to the convention.

It is a route that Gostin's organization has traveled successfully before. In August, the NCCL represented James Malone, an antiques dealer who contended that British police were illegally tapping his phone.

The human rights commission found in favor of Malone, saying that British law did not adequately spell out the rules regarding domestic surveillance. In response to the judgment in Strasbourg, the home secretary introduced a bill — now awaiting debate in Parliament — that details British surveillance policy.

The bill would give the home secretary and several other key officials power to order phone taps without approval from a court.